

**Springerville Town Council
Work Session Minutes
March 10, 2004**

Present: Mayor Kay Dyson, Vice-Mayor Mary Nedrow and Scott Cray

Absent: Ramon Castillo and Mark Baca

Staff: Kurt Hassler Town Manager, Val Cordova Town Clerk, Sterling Solomon, Thomas Malone, Ed Shields

Public: Bill Fox with SWRS, Pete and Connie Hunt, Roxanne Knight and Susan Martin.

1. Call to Order

Mayor Dyson called the meeting to order at 700 p.m.

2. Public Participation

None

3. Springerville Elementary Building Rehabilitation: Discussion on the proposed rehabilitation of the old Springerville Elementary building.

Volunteer Labor/Remediation

Mr. Bill Fox, Risk and loss control manager for Southwest Risk Services addressed the Council regarding the issue of volunteer labor and remediation issues. He said that SWRS tries to provide guidance and loss control to try to keep the town out of difficulty.

Mr. Fox cautioned the Council about litigations waiting to happen regarding asbestos, mold, lead paint, fungus. He advised them to contract as many professional people as possible and to make sure of their credentials in these areas.

He said that volunteers prior to their working should be told whether they will have worker's compensation coverage or not however recommended that these volunteers be brought in under the town's liability because of the short term project. Volunteers need to know that their health insurance will be primary if the Council elects not to cover them under worker's compensation. He explained that if someone gets injured on the job, the town's liability will kick in to help pay for doctor services.

On behalf of risk management he urged bringing in professional contractors to transfer risk wherever possible. He said that contractors have to maintain large liability limits and they should show proof prior to beginning any work. If problems occur years down the road the contractors insurance should come in and pick them up. This will come back to the towns insurance if the contractor does not have this liability.

He cautioned them about the dangers of breathing asbestos and working without the proper equipment. He advised them to treat the volunteers just like employees, by filling out applications and making sure they are told up front what kind of insurance coverage they will have and that they might get sick or injured somewhere down the road.

In answer to volunteers signing waivers he strongly recommended that the town have a waiver he can give them that includes those things discussed. However in the case of asbestos it may not hold much water as it is covered under federal law.

Mr. Hassler stated that this would apply to all volunteers working in that building. We would use inmate labor to start the demolition process. We know that the asbestos is in the floor tile but are not positive about the roof which has not been tested. They will isolate any visible mold and target for remediation. He also stated that they will remediate the entire building prior to any other work being done so that it does not prorogate itself.

Deed Restrictions

Mr. Solomon advised the main thing to remember about the deed restriction is that there is a title policy on the property. There was a title insurance policy taken out with First American Title Company for five hundred thousand dollars to insure that the title is clear. They did not go back far enough when they did the title search and the title was not clear. It states that this property shall be used as a school and when it stops being used as a school it reverts back to the person who gave the property or his heirs. Mr. Solomon recommended that the town Quiet title through the Title Company or try to get a declaratory judgment from the Court saying that the building has not been used as a school and no one has come forward for twenty years.

Mr. Solomon said he would like to work with Mr. Gammage in presenting this to the Title Company in a reference capacity such as producing documents or if he needs assistance and bring information to the Council or to Mr. Hassler to expedite things.

Mr. Hassler said he would contact Mr. Gammage and arrange for him to begin the process. Mr. Gammage would like a signed affidavit which Mr. Hassler recommended that Steve West sign because he is a long time resident and knowledgeable about what is going on. The police department was also located in that building for a number of years and Steve served on the school board when the deal was made. Chief West can work with Mr. Gammage to get the affidavit created and signed, and then it can be presented to the Title Company to get the town a clear title to the property. Other affidavits can be obtained as well.

Mr. Hassler emphasized that the deed restriction is the first thing that needs to happen. Should something go wrong and we lose the building after we have used CDBG and SHPO funds then the town will have to repay the funds.

Structural Analysis/Architectural Plans

Mr. Hassler advised the Council that he can create an RFP to combine both the structural Analysis and Architectural plans. The RFP can include wording that that bid would not be awarded until the deed restrictions are addressed to the satisfaction of the Council.

By integrating both the structural analysis and architectural plans in the RFP the contractors can then work together. Mr. Hassler said he was going to contact SHPO and ADEQ to get names of contractors and verify with Dana Overson that CDBG funds can be used for this.

The structural analysis will cost about \$25,000 and the architectural plans anywhere from \$70,000 to \$100,000. Up to 10% of the SHPO grant can be used for this. The interior of the building must be demolished before the structural engineer can get in to see.

Mr. Hassler was directed to create an RFP

Floor Plans and Structural Repair

Mr. Hassler presented a proposed layout of the building done by White Mountain Architects for municipal offices with a few minor changes he made. He explained that a floor plan of the building needs to be determined for the structural engineer and architect to work from.

Several suggestions were given for the use of the building. It was determined that a Building Project sub-committee should be formed to include: Mr. Hassler, Tom Malone, Scott Cray, Scott Silva and Pete Hunt with Mr. Hassler being the project manager.

It was suggested that a Fund Raising and an Over-Site committee be created, but Mr. Hassler explained that the Over-Site committee would be the Council who has the final say on what happens. Both the building committee and the fund raising committee will give recommendations to the Council.

They listed some of the proposed uses and having a subcommittee for the floor plan such as the , Historical Society Space, Museum and Chamber of Commerce but did not feel that city offices should be located in the front of the building.

After discussion it was decided that a Floor Plan committee should be formed to help determine what the layout should be. The construction committee will meet to go through the building and look at the possibility of moving the police department to the newer wing of the building.

Mr. Solomon cautioned the Council about having the police department in such close proximity to the museum and the liabilities involved.

Mr. Fox added that the police department should be separate, as much as possible due to the violence that can take place. They would also have to harden the walls and windows and it would not look like a historic building.

Structural Repair Work and Non-structural Repair Work

No comments were made on the structural repair work but Mayor Dyson noted that the non-structural repair work would be the new plumbing, wiring, HVAC system, flooring, walls and ceilings.

Proposed Schedule

Mr. Hassler stated that the goal would be to determine what the use of the building will be, get the deed restrictions lifted, deal with all the remediation issues and work completed, have the architectural services RFP out and have them under contract. Mr. Hassler noted that the time line for the SHPO grant may be an issue and may not be able to meet it.

Mayor Dyson noted that the roof is not part of the SHPO grant, only the foundation work but was told that if there was any money left over they would allow it to be used for the roof.

Mr. Hassler said they should be able to word the RFP correctly in a three-phase contract to do the structural engineer report first and make his recommendations, the next phase would be to prepare the drawings necessary to either bid out the work or do the work ourselves and lastly would be having the architect come in. During all three phases they would both be working together which would also make it more economically feasible to do. The suggested proposed schedule would be to determine the use, the deed restriction lifted, remediation, Request for proposals under contract by the end of the year but reminded everyone that this is just a proposed schedule.

Mr. Hassler said that there would be reports from the committees to keep everyone informed. Members of the committees were encouraged to get in touch with Mr. Hassler to set dates for meeting.

4. Adjournment:

Motion by Scott Cray/Kay Dyson to adjourn.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Scott Cray

The meeting adjourned at 8:45pm

Kay Dyson, Mayor

ATTEST:

Valentina Cordova, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council quorum was present.

Dated this 12th day of March 2004

Valentina Cordova, Town Clerk